



3-10-05

Express Mail Label No. EV 230286611 US
Date of Deposit: March 7, 2005

IFW
AP

Attorney Docket No. 17853-046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harding et al.
Serial No: 10/600,108
Filed: June 20, 2003
For: OPTICAL BAR CODE SCANNER AND
SYSTEM FOR RETRIEVING BAR CODE DATA

Examiner: Mark Stephen Tremblay
Art Unit: 2876

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION MAILED OCTOBER 5, 2004

Sir:

Responsive to the Office Action mailed October 5, 2004, Applicants submit this response to the issues raised therein.

REMARKS

Applicants have carefully considered the Examiner's Office Action. Applicants believe the claims as pending are in condition for allowance and respectfully request reconsideration.

Rejection of Claims 1-4, 6-17, and 19 Under 35 U.S.C. § 102(e)

Claims 1-4, 6-17, and 19 have been rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Publication #2002/0042774 to Ortiz et al. ("Ortiz"). Applicants respectfully traverse the rejection of claims 1-4, 6-17, and 19 under 35 U.S.C. § 102(e) as being unpatentable over Ortiz for the reasons provided below.

Claim 1 is directed to a shopping system for scanning codes related to products and for retrieving data associated with the codes. The shopping system of claim 1 includes a battery-operated personal code scanner having a size and shape such that the scanner is hand-held, the